

92D CONGRESS	}	HOUSE OF REPRESENTATIVES	}	REPORT
1st Session				No. 92-541

PROVIDING ASSISTANCE TO RADIO FREE EUROPE AND TO RADIO LIBERTY

SEPTEMBER 30, 1971.—Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed

Mr. MORGAN, from the Committee on Foreign Affairs,
submitted the following

REPORT

[To accompany S. 18]

The Committee on Foreign Affairs, to which was referred the bill (S. 18) to amend the United States Information and Educational Exchange Act of 1948 to provide assistance to Radio Free Europe and Radio Liberty, having considered the same, reports favorably thereon with amendments and recommends that the bill as amended do pass.

The amendments are as follows:

1. Strike out all after the enacting clause and insert in lieu thereof the following:

That there is established a commission to be known as the Commission on International Radio Broadcasting (hereinafter referred to as the "Commission") composed of nine members as follows:

(1) Two Members of the House of Representatives appointed by the Speaker of the House of Representatives.

(2) Two Members of the Senate appointed by the President of the Senate.

(3) Two members appointed by the President from among officers and employees of the executive branch of the Government.

(4) Three members appointed by the President from private life, including experts in mass communication in the broadcasting field.

(5) The President shall designate one of the members appointed from private life to serve as Chairman of the Commission. Any vacancy in the membership of the Commission shall be filled in the same manner as in the case of the original appointment.

Sec. 2. (a) It shall be the duty of the Commission to review and evaluate international radio broadcasting and related activities of Radio Free Europe and Radio Liberty.

(b) The Commission shall submit its report to the President for transmission to the Congress not later than November 30, 1972, setting forth the results of its findings and conclusions, together with such recommendations as it may deem appropriate, including, but not limited to, recommendations with respect to future management, operations, and support of such activities; establishment of a corporate or other entity to administer support for, or to conduct, such activities; and protection of the rights and equities of past and present employees of Radio Free Europe and Radio Liberty.

(c) The Commission shall cease to exist on July 1, 1973.

SEC. 3. (a) In addition to his function as head of the Commission, the Chairman of the Commission shall provide grants to support the broadcasting activities of Radio Free Europe and Radio Liberty and submit to the President for transmission to the Congress not later than November 30, 1972, and July 1, 1973, reports, with financial appendices as appropriate, of each grant made and a statement describing the utilization of each such grant.

(b) There are authorized to be appropriated to the Chairman for carrying out the purposes of this section \$36,000,000 for the fiscal year 1972 and \$38,520,000 for the fiscal year 1973. Except for funds appropriated pursuant to this section, no funds appropriated after the date of the first appropriation pursuant to this Act may be made available to or for the use of Radio Free Europe or Radio Liberty.

SEC. 4. (a) Members of the Commission who are Members of Congress or officers or employees of the executive branch shall serve without compensation for their services as members of the Commission. Members of the Commission who are not Members of Congress or officers or employees of the executive branch shall receive per diem at the daily rate prescribed for level V of the Executive Schedule by section 5316 of title 5 of the United States Code when engaged in the actual performance of duties vested in the Commission. All members of the Commission, while away from their homes or regular places of business in the performance of services for the Commission, shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 (b) of title 5 of the United States Code.

(b) The Chairman of the Commission is authorized to appoint and fix the compensation of such personnel as may be necessary. Such personnel may be appointed without regard to provisions of title 5, United States Code, covering appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates. Any Federal employee subject to civil service laws and regulations who may be appointed by the Chairman shall retain civil service status without interruption or loss of status or privilege. In no event shall any individual appointed under this subsection receive as compensation an amount in excess of the maximum rate for GS-18 on the General Schedule under section 5332 of title 5, United States Code.

(c) In addition, the Chairman of the Commission is authorized to obtain the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates not to exceed the maximum rates for GS-18 on the General Schedule under section 5332 of title 5, United States Code.

(d) Upon request of the Chairman of the Commission, the head of any Federal agency is authorized to detail, on a reimbursable basis, any of the personnel of such agency to the Commission to assist it in carrying out its duties under this section.

(e) The Administrator of General Services shall provide to the Commission on a reimbursable basis such administrative support services as the Commission may request.

SEC. 5. There are authorized to be appropriated to the Commission such sums as may be necessary for its administrative expenses.

2. Amend the title to read as follows:

An Act to authorize the creation of a commission to evaluate international radio broadcasting and related activities of Radio Free Europe and Radio Liberty, to authorize appropriations to the Chairman of the Commission, and for other purposes.

PURPOSE OF THE BILL

The principal purpose of S. 18, as amended by the Committee, is to create a temporary mechanism for conducting a one-time study and evaluation of Radio Free Europe and Radio Liberty, and to provide for interim financing of those operations while the study is in progress. To this end, the bill authorizes the establishment of a tripartite com-

mission, composed of representatives of the legislative and executive branches of the United States Government and of the public, and scheduled to expire on July 1, 1973.

The Commission will "review and evaluate international radio broadcasting and related activities of Radio Free Europe and Radio Liberty". Such review and evaluation, together with any recommendations, are to be submitted to the President for transmission to the Congress not later than November 30, 1972.

Authorizations for appropriations to the Chairman of the Commission of \$36 million for fiscal year 1972 and of \$38.520 million for fiscal year 1973 will permit Radio Free Europe and Radio Liberty to continue operations pending completion of the study by the Commission and further action by the Congress.

COST ESTIMATES

Pursuant to clause 7 of rule XIII of the House rules, the committee has examined the Executive request of \$40 million for fiscal year 1972 submitted during testimony before the committee. It recommends \$36 million for fiscal year 1972 and \$38.520 million for fiscal year 1973. The entire program will be reviewed before the end of fiscal year 1973. Hence, any projection beyond that date is not possible.

COMMITTEE ACTION

On May 19, 1971, the Executive forwarded to the Speaker of the House Executive Communication 740, together with a draft bill "to provide for the establishment of an American Council for Private International Communications, Incorporated, to grant support to the activities of private American organizations engaged in the field of communication with foreign peoples." This draft was introduced as H.R. 9637 by the chairman of the committee on July 7, 1971. Representative John S. Monagan also introduced the bill H.R. 10590. A similar, but not identical, bill (H.R. 9330) was also introduced by Representative Ogden Reid.

Before the committee could consider these measures, the Senate passed S. 18. That bill provides a grant of \$35 million for fiscal year 1972 to be made by the Secretary of State for Radio Free Europe and Radio Liberty.

The committee held hearings on these various proposals on September 14 and 21. It received testimony from Representative Ogden Reid; Hon. U. Alexis Johnson, Under Secretary of State for Political Affairs; and Hon. John A. Gronouski, dean, Lyndon B. Johnson School of Public Affairs, University of Texas, and former Ambassador to Poland. It also heard from Col. Casimir I. Lenard, executive director, Polish-American Congress, Inc.; Prof. Roman Karst, State University of New York; Dr. Alexey Vasilevich Levin, a nuclear physicist who left the Soviet Union in 1968; and Prof. Lubos V. Hejl, former Czech economist now at the University of Rochester.

Following the hearings the committee held three executive sessions. On September 30, 1971, by a vote of 23 to 1, it ordered reported S. 18 with an amendment in the nature of a substitute to the Senate bill.

BACKGROUND

Radio Free Europe (RFE) and Radio Liberty (RL) had their inception in the years immediately following World War II, when the Soviets gave every indication of establishing hegemony over Eastern Europe and threatening Western interests. RFE was incorporated in New York in 1950 and RL in Delaware in 1951. Until this past fiscal year, the funding of each came from the Central Intelligence Agency. In the case of RFE, small amounts were raised from private sources. Continued funding from CIA sources has now been denied both organizations by Congress, and they are presently operating on a continuing resolution.

The basic issue before the Congress is to determine whether these radio stations should continue to be financed by the Government and, if so, how they should be financed.

S. 18, as passed by the Senate, amended the U.S. Information and Educational Exchange Act of 1948 (the Smith-Mundt Act) which is the basic authority for the activities of the United States Information Agency. The Senate language simply provided an authorization for an appropriation for fiscal year 1972 of \$35 million to the Secretary of State. The bill was described as a stop-gap measure pending the completion of studies on RFE and RL by the Library of Congress and the General Accounting Office, both of which have been requested by the Committee on Foreign Relations.

The House amendment to the Senate bill may also be considered a stop-gap measure in that it withholds final judgment on whether—and how—to fund these stations. The House version calls for an independent but comprehensive report and recommendations by a nine-member Commission comprised of Members of the legislative branch, the executive branch, and nongovernment experts. The Commission will go out of existence after the completion of its study, but in any case will cease to exist on July 1, 1973.

In summary, the Senate bill and the House amendment do not commit Congress to any particular course of action pending the completion of various studies. Both versions provide for interim funding—the Senate for 1 year, the House for 2 years.

Radio Free Europe (RFE)

RFE operates under the direction of the Free Europe Committee, Inc., with administrative headquarters in New York City. Operational headquarters are in Munich from which it broadcasts an average of 15 hours per day to each of the five Soviet bloc countries—Bulgaria, Czechoslovakia, Hungary, Poland, and Rumania. RFE is registered in Germany as a foreign nonprofit corporation and is licensed by the German Government to operate transmitters. Major shortwave transmitters in Portugal are maintained to overcome jamming efforts by the Communist governments.

In its early years RFE engaged in psychological warfare; its broadcasts were polemical and politically oriented. By the mid 1950's it dropped this approach and developed a highly professional staff with specialized linguistic and research capabilities. The focus is upon objective and accurate news reporting and balanced commentaries. The current emphasis is to give encouragement to the indigenous forces

of peaceful reform and to provide a mechanism for increasing within authoritarian governments the public accountability of public officials for their public acts.

About half of RFE's broadcasts consists of news, political commentaries, and press reviews. The balance consists of music, sports, and other features. To provide the news material RFE subscribes to the principal Western wire services, and about 1,600 publications, including 900 of Communist origin. It monitors a dozen Communist news agencies and 40 radio stations in the Soviet Union, Eastern Europe, and Communist China. A research staff prepares reports and analyses of Communist affairs which are also widely used by Western scholars, journalists, and government officials. Of its current employee strength of 1,648, about 1,150 are located in Germany and 350 in Portugal. For fiscal year 1971 RFE's operational costs financed by the U.S. Government were slightly less than \$23 million, including \$502,000 for support of the RFE Fund. About \$1.5 million additional came from private sources. For fiscal year 1972 the administration estimates that \$24.4 million will be needed. The increase is due primarily to the changing relationship between the dollar and the German mark since most expenditures are made in Germany.

It is estimated that within the five countries about half the population over 14 years of age listen to RFE with some regularity. In a statement submitted to the committee the president of RFE, Mr. William P. Durkee, observed:

Continuous and comparative opinion sampling by professional European survey organizations among East European nationals traveling in the West has provided data indicating that a majority of this total are regular listeners (two or three times a week), that young people are becoming a large part of the audience, and that in its area RFE's total listenership is about twice that of VOA or BBC.

Radio Liberty (RL)

RL is under the direction of Radio Liberty Committee with administrative headquarters in New York City. Broadcast headquarters and research facilities are located in Munich; offices, studios, and other facilities are located in London, Paris, Spain, and Taiwan. RL broadcasts are directed to the Soviet Union 24 hours a day in Russian and 17 other major languages that are spoken in that country.

Although its initial thrust was upon "liberation", it soon shifted to "liberalization". Its broadcasts offer "positive alternatives" to the Soviet system, couched in friendly tones, and for the most part, by indirection; for example, by explaining the workings of democratic systems in terms understandable to Soviet citizens. News items about internal developments not carried in the Soviet press are picked up from many sources, including correspondents, the monitoring of regional radio broadcasts, and expert analysis of Soviet publications. Programs also include the "cross-reporting" of developments in other, more liberal Communist countries, information demonstrating how non-Communist countries face problems relevant to those of the Soviet Union, and programs that fill the gaps in Soviet coverage of its history and culture.

A large portion of current broadcast materials comes from a source unique to the Soviet Union. It is called "samizdat" (literally "self-publishing"). These are unpublished manuscripts, painstakingly copied or typed, to circumvent censorship. More than 1,000 such items have already reached the West. They include everything from book-length works to articles and essays dealing with political, social, and economic problems; "transcripts" of courtroom trials from which the public has been barred; and individual or group petitions by Soviet citizens seeking redress of grievances. The emphasis of these works is on reform, not revolution; the tone is nearly always restrained and businesslike. RL is the major channel for broadcasting samizdat material to the Soviet Union.

In recent months RL has devoted an increasing amount of its programs to the plight of Soviet Jews. Widespread coverage has been given the regime's discriminatory practices, including criticisms of Soviet anti-Semitism from Western Communist parties. Cultural programs have been featured, major Jewish holidays have been celebrated, and Yiddish messages of greetings have been transmitted.

RL has about 930 employees, most of them abroad. Its fiscal year 1971 budget is estimated at \$13.7 million. For the current year it is estimated at \$15.6 million. Unlike RFE, RL has had almost no private contributions.

The elaborate Soviet censorship system represents a determined effort to isolate citizens from internal sources of knowledge as well as from outside influence. Opinion sampling such as that used by RFE is not possible as a method of determining the effectiveness of RL. Evidence has to be derived from letters that filter out and interviews with Soviet defectors and occasionally with Soviet visitors. No less significant is the Soviet reaction to the broadcasts. This takes two forms: First, continued jamming of every RL frequency at all times, and second, public attacks by the Soviets on specific items transmitted by RL. Most recent estimates are that of the 85 million radio receivers in the Soviet Union, 27 million are capable of receiving short-wave. Despite the jamming efforts, a considerable portion of RL broadcasts are heard.

RFE and RL provide the citizens of the Eastern European countries with the services that would be rendered them by news accounts in their own countries if censorship did not exist. They do not promote violence or revolution. Accurate and uncensored news is offered in a context familiar to the listeners. As one observer noted, "RFE and RL serve as the primary channels to the intellectual mainstream of the rest of the world."

The former Ambassador to Poland, Hon. John A. Gronouski, put in perspective the role that these stations play. In his statement before the committee he observed:

It is not enough for the people of Eastern Europe to get undistorted news of events in other parts of the world, however important this in itself may be. It is even more important that they have access to information about events in their own country other than that which those in control wish to make known.

For if the international community is to make progress toward the East-West détente about which we all dream, this will come about through pressure exerted on their own governments by an informed citizenry. We have seen this happen time and again in our own country. It will not happen in Eastern Europe and the Soviet Union unless alternative sources of information are available to the people of those countries than those controlled by their own political leaders. This is the role that is effectively, responsibly, and uniquely filled by Radio Free Europe and Radio Liberty.

The House version directs the Commission to include in its recommendations a consideration of the "protection of the rights and equities of past and present employees of Radio Free Europe and Radio Liberty." Pending the submission of such recommendations, the House language will give some measure of assurance to the employees as to the importance which the committee attaches to their work. They constitute a valuable resource that should not be hampered by lowered morale while the Commission is making its study.

RELATION TO VOICE OF AMERICA (VOA)

The committee considered whether VOA could perform the role that RFE and RL perform. The common denominator in their operations is that they are engaged in radio transmission. As the committee explored this approach, the following points emerged:

- VOA is the radio arm of the U.S. Information Agency. As such, its function is to report and interpret U.S. life and policy. To identify a government agency with programs such as those broadcast by RFE and RL could only make more difficult any détente with the Iron Curtain countries.
- RFE and RL provide a service that is made necessary by virtue of the heavy censorship that exists in the Iron Curtain countries.
- VOA broadcasting is a worldwide activity. While the news content is tailored to particular national audiences, it cannot provide the range of informational services provided by RFE and RL.
- Closely related to the latter point is the fact that the audiences of RFE and RL have developed a particular identity with those stations because of the highly localized content and appeal of their programs. It is doubtful that any other organization, especially one identified as an agency of another government, would have the credibility of the existing organizations.
- VOA lacks the physical facilities to carry out the sustained broadcasts of RFE and RL. RFE, for example, uses 80 frequencies assigned to it by the German Government. Both organizations have their major transmitting facilities in Germany where they are licensed by the German Government as foreign nonprofit organizations. If RFE and RL relinquished their frequencies, they would not automatically be transferred to any successor. In Germany and Portugal the physical equipment of RFE and RL could be sold; in Spain, it would revert to the Spanish Government. In Taiwan the transmitters belong to the Government of the Republic of China while the antennas are owned by RL. To

retain these facilities any successor organizations to RFE and RL would have to engage in complicated and time-consuming negotiations with each of these governments with the ultimate outcome very uncertain.

The committee recognized that complicated policy and operational issues are involved in seeking an answer to this approach. They cannot be resolved quickly. While it did not reject the absorption of RFE and RL by VOA, the committee thought it desirable to defer a decision on this matter until it had the benefit of the several studies authorized by the House and the Senate.

SECTION-BY-SECTION ANALYSIS

Section 1 provides for the establishment of a Commission on International Radio Broadcasting to consist of two Members of the U.S. House of Representatives appointed by the Speaker; two Members of the U.S. Senate appointed by the President of the Senate; two officers of the executive branch appointed by the President; and three members appointed by the President from private life, including experts in mass communication in the broadcasting field. One of the members appointed from private life is to be designated by the President as Chairman of the Commission. Any vacancy in the membership of the Commission is to be filled in the same manner as in the case of the original appointment.

Section 2 directs the Commission to review and evaluate international radio broadcasting and related activities of Radio Free Europe and Radio Liberty. It also requires the Commission to submit a report to the President for transmission to the Congress, not later than November 30, 1972, setting forth its findings and recommendations with respect to such matters as the future management, operations, and support of the activities of Radio Free Europe and Radio Liberty; the establishment of a corporate or other entity to administer support for, or to conduct, such activities; and the protection of the rights and equities of former and present employees of the two organizations. Section 2 further provides that the Commission shall cease to exist on July 1, 1973.

Section 3 authorizes the appropriation to the Chairman of the Commission of \$36 million for the fiscal year 1972 and \$38.520 million for the fiscal year 1973 for grants to support the broadcasting activities of Radio Free Europe and Radio Liberty. The Commission is required to submit reports to the President for transmission to the Congress on the utilization of such grants not later than November 30, 1972 and July 1, 1973. Section 3 also provides that except for funds appropriated pursuant to the authority contained therein, no funds appropriated after the date of the first appropriation pursuant to this act may be made available to or for the use of Radio Free Europe or Radio Liberty.

Section 4 deals with the powers of the Commission, compensation of its members, and various housekeeping matters, as follows:

Subsection 4(a) provides that members of the Commission who are Members of Congress or officers or employees of the executive branch, shall serve without additional compensation. The remaining members

of the Commission shall receive per diem at the daily rate prescribed for level V of the Executive Schedule when engaged in the actual performance of duties vested in the Commission. All members of the Commission, while away from their homes or regular places of business in the performance of the Commission's work, shall be allowed travel expenses prescribed in section 5703(b) of title 5 of the United States Code.

Subsection 4(b) authorizes the Chairman of the Commission to appoint and fix the compensation of such personnel as may be necessary. Such appointments may be made without regard to civil service regulations. A ceiling equivalent to the maximum rate for GS-18 is placed on the compensation that may be paid to any employee of the Commission. A provision is also included to protect the status and privileges of Federal employees subject to civil service laws and regulations who may be appointed to work for the Commission.

Subsection 4(c) authorizes the Chairman of the Commission to obtain the services of experts and consultants in accordance with section 3109 of title 5, United States Code, at rates not to exceed the maximum rates for GS-18.

Subsection 4(d) provides that upon the request of the Chairman of the Commission, the head of any Federal agency is authorized to detail, on a reimbursable basis, any of the personnel of such agency to the Commission.

Subsection 4(e) directs the Administrator of General Services to provide the Commission, on a reimbursable basis, with such administrative support services as the Commission may request.

Section 5 authorizes the appropriation to the Commission of such sums as may be necessary for its administrative expenses.

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